

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

SANDRA ALEMAN DE JESUS

Petitioner

v.

UNITED STATES OF AMERICA

Respondent

Civil No. 98-2453(SEC)

ORDER

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U.S. DISTRICT COURT
SAN JUAN, P.R.

Pending before the Court is Petitioner's motion to vacate, set aside, or correct a sentence pursuant to 28 U.S.C. § 2255. (Docket # 1). After counsel for Petitioner was appointed pursuant to the CJA, (Docket # 9), on April 3, 2001 the above-captioned case was referred to U.S. Magistrate-Judge J.A. Castellanos for a report and recommendation. (Docket # 18). The Magistrate filed his report and recommendation on May 21, 2001. (Docket # 25). In it, the Magistrate informed that at a conference with counsel for Petitioner and the Government:

[B]oth parties agreed that if an evidentiary hearing would be held, there was sufficient evidence for this magistrate to submit a report to the court that petitioner would be entitled to some form of relief pursuant to her motion under 28 U.S.C. § 2255. . . . As a result, the parties agreed thereafter to enter into a stipulation whereby the most feasible avenue to proceed would be for the court to re-sentence the defendant in Criminal Case No. 97-048(SEC) . . .

(Dkt. 25 at 1). No objections were filed to the Magistrate's report. See P.R. Loc. R. 510.2. Accordingly, after reviewing the same, the Court **APPROVES AND ADOPTS IT** as its own. Petitioner's motion, (Docket # 1), is hereby **GRANTED**. The Court shall proceed to issue a judgment accordingly.

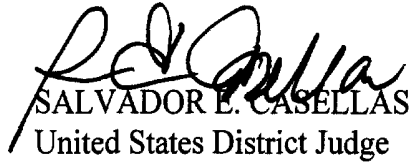
SO ORDERED.




Civil No. 98-2453(SEC)

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In San Juan, Puerto Rico, this 18 day of June, 2001.


SALVADOR E. CASELLAS
United States District Judge